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# SPEECH

OF

HON. JOHN U. <sup>track</sup> PETTIT, OF INDIANA.

ON THE

RESTORATION OF THE MISSOURI COMPROMISE.

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DELIVERED IN THE HOUSE OF REPRESENTATIVES, AUGUST 2, 1856.

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## RESTORATION OF THE MISSOURI COMPROMISE.

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The House being in the Committee of the Whole on the state of the Union—

Mr. PETTIT said:

Mr. CHAIRMAN: I propose referring—and for the reason, only, that it has a direct and immediate connection with the most pressing exigency of legislation—to the means and motives that moved the passage of the Nebraska-Kansas bill; to the mischievous consequences, without a single benefit to any one, that have flowed from it, without intermission and with steady augmentation; and to express, with much respect to the differing opinions of others, my own opinion in favor of repealing so much of it as shall restore the Missouri compromise, as the sure means of bringing back the national peace and happiness.

In speaking of the Nebraska-Kansas bill, and in my present condemnation of it, I do not mean to embrace the provisions of it that are confined, though with many details, to establishing territorial governments for Kansas and Nebraska, creating functions and officers of government, and clothing their inhabitants with certain limited privileges of making and administering their own laws. In all these things the provisions of the law are well enough, or only of questionable expediency. All persons alike, whether friendly to the repeal of the Missouri compromise or not, accede, in the main, to the propriety of this legislation. We have all long felt an honest national pride at seeing our civilization, rejoicing in conscious freedom and strength, going steadily West, and at length beginning to occupy the unpeopled and almost illimitable plains that stretch away beyond the Missouri. The time was ripe for establishing territorial governments there. All were agreed in this; and it has been no matter of objection to that law that it ordained governments for Kansas and Nebraska. Nor has it been an objection that, during the territorial condition, which is only the infancy of a State, and when, according to Burke's nervous expression, the State has not yet hardened into the bone and gristle of manhood, two of the departments of the

Government, the executive and the judicial, were wholly lodged in the appointment of the President of the United States, without any consent of the people of the Territories; for, by maintaining so much of sovereignty over the Territories, after their being erected into governments, the Federal authority has been able to repress such anomalies of condition, as that gross and barbarian one in Utah that now shocks the national sense so much, and to cultivate their assimilation to the States preparatory to admission. And, especially, it has been no objection to the law from the people of the free States, where the sovereignty of the people is so much a principle and a fact, that it delegated limited powers of government to the people of the Territories, who are best acquainted with their own conveniences and wants. If, in organizing the territorial governments, it had any fault, it was that it gave the people too little power. In all these respects, just such territorial governments had been established, and just such powers of legislation had been conveyed to the inhabitants of the Territories, by every law creating a territorial government since the Constitution. There was no novelty in this—nothing that inculcated any new principle or adopted any new practice. The Nebraska-Kansas bill, in the framework of territorial government it established—in its functions and offices—in its executive, judiciary, and Legislature—did for Kansas and Nebraska what the ordinance of July 13, 1787, reaffirmed, in all its parts, by the first Congress under the Constitution, did for the Northwest Territory—what the act of June 12, 1838, establishing the Territory of Iowa, did for that Territory—what the act of August 14, 1848, establishing Oregon Territory, did for that Territory. Indeed, in these respects, the Kansas bill is, in words, the very same, principally, and where it is not in the very words, is without any fundamental or substantial difference from the laws organizing the Territories of Iowa and Oregon. In the quantity of words, nine tenths of that statute might be permitted to stand, without grave objection from any quarter. It deserves, therefore, to be under-



stood, that the general animadversion of that law does not extend to so much of it as only incorporates in it what has been incorporated in every other territorial bill, has now grown into ancient use, and has been heartily approved by the successful experience of three quarters of a century.

When, therefore, I now speak of this law, I do it with reference to none of these, but with reference to its popular sense, and to that great fact, the repeal of the Missouri compromise, that characterizes it and makes it badly eminent. I allude to it, with reference to this, its paramount object and accomplishment. I confine myself to that handful of words in the fourteenth and thirty-second sections of the act by which this great wrong was done—words pregnant with more pernicious meaning and consequences than were ever housed in the same compass in any statute.

Within this definition, the Nebraska-Kansas bill deserves to stand accused of the public disorders that now afflict us and endanger our safety. The union and harmony of such a people as ours, wide-spread, and with different and sometimes conflicting interests, depends on generous concessions and compromises, and the observance of good faith. This law entered like a thief in the night, and struck down a compromise, older than many of us, entered into at a moment of public dissension like this, and written on the statute-book by the purest and wisest men of the best age of the Republic, to be read and known of all men as a perpetual gage of future peace, and taught us that public faith was only the politician's toy. The land was at peace. It has destroyed that peace, and spread the face of the sky with storms. It has made a war of sections. It has made a war of interests. It has impaired and narrowed the privilege of American citizenship, not pent up in State lines, but extended by the Constitution to the uttermost inch of the whole length and breadth of the national dominion. It has obstructed the great highways of emigration and commerce, and prostituted State sovereignty into the oppression of the citizen. It has robbed him of the immunity and protection of the law. It has exposed him to insult, and covered his person with indignities. It has fettered his speech. It has explored his thoughts, and made his free instincts a crime. It has bound him in bonds, and shut him up in prison. It has made even his prison a sanctuary from the fury of its own engendered banditti, lawlessly exalted into unquestioned sovereignty. It has butchered him in his house, in his field, and on the highway, with all the atrocious and unprovoked circumstances of murder. It has spent the anger of its hirelings and sectaries on the dumb, insensate press. Fearful of its truth and knowledge, it has extinguished its light, and turned mankind back to paganism. It has taken from the citizen's house the common-law quality of sanctuary. It has razed and burned his villages, burned and robbed his dwellings, and desolated his fair fields. It has stopped at no enormity, unless, having exhausted its ability of wrong, it has waited to invent another. Over a large Territory, disorder and riot are supreme, and the law is without power.

But the gentleman from Georgia, [Mr. STEPHENS,] learned, acute, persuasive—it can offend no one invidiously to say, that in these qualities, no one in this House excels him—said last week, that these troubles have not resulted from the Kansas law. The Senator from Illinois, [Mr. DOUGLAS,] who is so much the author of this measure, as to have conducted it through the Senate, said the same thing in a report made a few days ago to the Senate. This last opinion is to be excused, as being within that parental infirmity and instinct that follow the poor offspring, no matter how ungracious, crooked, weak, wicked, or criminal.

This is my answer. The present troubles in Kansas originated in the purpose to establish slavery there. There is no doubt of this being at the root of all its present difficulties, however we may differ about the merit of the passion of the respective sides. The invasion of November, 1854, had this object. This was the object of the armed invasion of March, 1855. This was the achievement, if its acts have any validity, (which I utterly deny,) of the so-called Legislature of Kansas. The newspapers of the conquerors glare with the short creed of "The South, and her institutions." This is the avowed passion of all the mobs of Kansas. The blood-red flag of South Carolina, planted on the smoldering walls of Lawrence, was inscribed "Southern Rights." All the inhabitants of Kansas, by official language set down in documents laid on our tables, are classified into free-State men and pro-slavery men.

Now, if the Missouri compromise, passed March 6, 1820, which excluded slavery from that Territory, had been permitted to remain in force, and had not been repealed, the question of slavery there would have been prejudged and settled. The seditious malcontents from the North, of whom the gentleman from Georgia furnished an amiable sketch, would have had nothing left to ask, and the friends of slavery would have had nothing left to hope. The repeal of the Missouri compromise is, therefore, the cause of these disorders, because, in the absence of this repeal, none of these disorders could have occurred. This is my first answer. But I have another.

For the first time, in more than two centuries of North American colonization, its progress has now ceased to be peaceful. During all this time, beginning at the sea-board, it has proceeded steadily, at first slowly, then faster, till now it is settling its hives of industry, and nursing the pursuits of Christian and civilized man, beyond the Missouri, and over the plains beyond, where the Rocky Mountains cast their shadows at evening.

The subjugation of so large a wilderness has been a slow and painful achievement. At first the settlers were clustered in nests along the coasts at long intervals. Settlements receded from the sea timidly. Every inch of progress was disputed by the wild beast and the savage. But every year some new encroachment was made on the wilderness. At length settlements began to move away from the sea on system. The



Alleghanies, through more than a dozen degrees of latitude, are the American Appenines, parallel with the coast from Georgia to Maine, never but a few leagues from it, and the ocean washing their feet. But so slow was the progress of colonization at first, and so many and so embarrassing its obstacles, that it was more than one hundred and fifty years after Jamestown and Plymouth Rock became historical, before the rough escarpments of the Alleghanies were crossed, and population began to flow down into the valley of the Mississippi.

Just so much, or rather just so little, was accomplished up to the time of the treaty of peace which acknowledged independence, not as a declaration, but as a fact. This difficult conquest of the forest, and the savage, and the beast—of untamed nature, dead and living—through so many weary years, had the prompting of a passion for free thought, free speech, and free conscience only. If this was then a sufficient reason for abandoning home and country, and crossing the stormy ocean, and facing the hardships and perils of a strange and heathen land, free thought and free conscience are now no less precious, when the world ought to be grown much wiser.

Since the Revolution, the settlement of the public lands has gone on much more rapidly. The fact of independence gave it new vigor. Before the Revolution, it was prevented by the language of royal charters, or fettered by severe conditions. The energies of the colonies were required to assist kings, or to resist them. But now, elated with conscious freedom, and penetrated with the enterprise of its English ancestry, population began to go down the western slopes of the Alleghanies, and follow the rivers toward the sea. All the rest is a familiar story. Like an advancing army, with its flanks on the lakes in the North, and the gulf in the South, settlement has gone westward with even pace, almost without stages or resting places. We are ourselves its witnesses. We, who stopped at manhood at what was then the frontier of the known West, have not reached the noon of life till the footsteps of the receding conquerors of the forest and prairie are lost, and our places are the half-way station between the East and West.

This settlement of the public lands has been most rapid in the last fifty years. Fifty years ago, population was just entering the valley of the Mississippi. Now, having crossed its whole broad basin, it is ascending the eastern slope of the Stony Mountains. In the same ratio, this ceaseless and impetuous progress will find its fixed limit before the end of the present generation at the shore of the Western Ocean.

I have taken this brief view of our colonization, partly because I shall hereafter have occasion to recur to the increased ratio in which our settlements are now made, but more particularly at this point to draw attention to the fact, that this weary but gigantic achievement of American colonization, spanning more than two centuries of time, and reaching over more than one half our territorial dominion, has been one of internal peace. It has been a great victory of peace, wrought by arts and not by arms. Passing through the

elementary condition whereby Territories become States, and on the remote frontier, where the restraints of law are worn lightly, good order has everywhere endured, and the public happiness has never been disturbed by intestine strife. Thirty-one States have now grown into Union, without a single example of civil feud or bloodshed.

And why has peaceful and prosperous settlement obtained so universally as the rule? Because the law has gone into the Territory before the pioneer, and fixed the conditions which have prevented opposing opinions and opposing interests from entering the settlements and carrying on a bloody strife for the mastery. There has, then, been no motive to disorder, because passions have not been permitted to run loose and unbridled, and to work out their ordinary results. A restraint of jarring interests, it is obvious, is a first and paramount necessity to a peaceful settlement of the public lands.

Kansas presents the first exception—the novel and extraordinary spectacle—the first spectacle of an American Territory passing through a history of civil dissension and civil war.

In contemplating the extension of slavery into that Territory as the immediate motive to the present disorders, no one is at a loss to know that the repeal of the Missouri compromise lies back of it all, and first gave hope to the friends of the extension of slavery. That measure was conceived, not more to restore the public peace then, than to prevent such a calamity as this now. It was in foresight of the jealousies of differing opinions and interests, and of the danger of sectional divisions against which the parting advice of the Father of his Country admonishes us as tending to disunion, that this sagacious enactment, at first difficult of obtaining public favor, but at length heartily acquiesced in, was passed, and established in public regard as only second in sacredness to the Constitution. In speaking on the subject of admitting Florida into the Union, Mr. Clay made use, in the Senate, of the following language:

“By the compromise which took place on the passage of the act for the admission of Missouri into the Union, in the year 1820, it was agreed and understood that the line of 36° 30' north latitude should mark the boundary between the free States and the slave States to be erected in the territory of the United States ceded by the treaty of Louisiana.” \* \* \* “Nothing could be more to be deprecated than to open anew the bleeding wounds that were bound up and healed by THAT COMPROMISE.”

The repeal of that compromise has verified the prophecy, and is leading along its train of calamities. But disorders are contagious. These are not now confined to the Territories, but have reached into the surrounding States. They have reached further, and have armed the Union into opposing sections. Where shall the end be? And are we standing now at the gulf of disunion?

And this is my second answer. If the Missouri compromise, which in advance prohibited slavery in Kansas, would, if unrepealed, have prevented all the agitation of it there, and left its settlement to be made in peace, with the same certainty, the repeal of that measure, removing every restraint, has marked that Terri-

tory as the battle-ground of hostile opinions, and fanned angry passions into civil war. It has invoked these passions to a bloody and violent struggle for supremacy, because it has not prevented them.

Nor is the struggle that this mischievous repeal opens, a short one, or limited in its scope to the Territories of Nebraska and Kansas. If this novel and pernicious principle of leaving the Territories ungarded by law, and sectional interests to rage without restraint for mastery, is to be persisted in, the present dissensions in Kansas are to be perpetuated over the whole national domain, until organized into States. It is a common error, that the effect of the repeal of the Missouri restriction is limited to Kansas and Nebraska. Its extent is far greater. It operates, at the same time, to break down the prohibition of slavery in Minnesota. It breaks down the prohibition of slavery in Oregon and Washington. It overrides the Mexican laws, which, until then, forbade slavery in New Mexico. It admits the patriarchal institution of slavery into Utah, and makes it the political twin of that other patriarchal institution, Governor Young's multiplicity of wives. It brings together there, for the first time in Christian lands, the Turkish slave bazaar, and the Turkish harem, and bids them live in love together under the sanction of our laws; for, if the Missouri compromise, which prohibited slavery in Kansas and Nebraska, became inoperative and void, because, in the language of the Kansas act, "it was inconsistent with the principle of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislation of 1850, commonly called the compromise measures," for the like reason, and to the same extent, and by the vigor of the same Kansas act, all these prohibitions in Minnesota, Washington, Oregon, Utah and New Mexico, became inoperative and void. Over all these, if unrestrained, the war for sectional supremacy is to go on. Such is the fair field for conquest, larger in area than all the organized States, to which slavery now turns, lured on to attempt it by avarice, which is always the energetic force of slavery, and impelled from behind, according to the assurances of another gentleman from Georgia, [Mr. WARNER,] by the necessity of its condition, which only leaves slavery prosperous where it has room. Each new Territory, as it fills with population, is only the battle-field changed, and without the acquisition of another foot of territory, here is ample room and verge enough, if the doctrine of the Kansas bill is to be maintained, for a half century of civil war.

And no small weight of interest and passion will be thrown into this struggle. In pursuing its steady purpose of aggrandizement, slavery is vigilant, undivided, untiring, unscrupulous, slow to be satisfied, abundant in resources; for slavery extension is, in its most odious form, the war of capital on labor, the oppression of free labor and honest opinion by the influence of wealth; a war as old as society, and as inexorable as the lust of money and power; most odious, because it begins by trampling under foot the humanities of life. Slaves are the masters' capi-

tal, and increase in value as new fields of employment are opened. Demand for them is stimulated—prices get up. To make the rich richer—to swell the coffers of the rich,—these are the only motives to slavery extension, but at the terrible expense of the miseries of the life of slavery, of the ignorance and degradation of those who are not slaveholders, the paralysis of industry, the fast impoverishment of the soil, and the ultimate but speedy decrepitude of the State. Governor Wise, of Virginia, well known as a performer of political gymnastics, in a late political epistle, commending Mr. Buchanan for voting to extend the Missouri compromise line to the Pacific ocean, which he says, notwithstanding, was a very unconstitutional thing in him, states the matter persuasively to Virginians as follows:

"The cost of not running that line to the Pacific may be valued thus to Virginia: We now get a thousand dollars for a sound slave; we would then have gotten from three to five thousand dollars for an operative in the gold mines of California; four hundred thousand multiplied by five thousand, or even three thousand, will show our immense loss. One billion of dollars would not compensate Virginia for her loss."

To whom is this argument and eloquence of avarice addressed? Who is to be benefited by the extension of slavery into virgin fields? The slave? No. Slavery extension predestinates him to banishment, and to perish in the bondage of a foreign master, away from his place of birth and the love of kindred—instincts superior even to the base condition of servitude, and which is all that slavery leaves him but the love of heaven. The millions in the slave States who are not slaveholders? No. Too poor to own slaves, their labor degraded, abridged, and oppressed, by the competition of slave labor, which is unpaid labor, and, therefore, cheaper labor, and so far subject to its dominion, they are classed down to a third estate, and left without the dignity and consideration of a middle class. The South witnesses a continual exodus of her best children into the free States to escape its blight. This is the prompt Nemesis that avenges the cruelties of slavery, and these, in turn, fill the firm ranks against its further aggression. They are the exiles of slavery remonstrating against slavery. These are no gainers by it. Is it the free millions of the industrious North? They could gain no more than they already had. By your fathers' compact and ours, the whole land was made the patrimony of freedom, and the Missouri compromise is the deed of title.

And so, slavery is to be extended, not for the cause of morals, or freedom, or knowledge, but to add billions of dollars to the treasury of the slave proprietors of Virginia and the South. The dollar has become better and greater than the man. The day of boundless riches for Virginia sets in. Her people—such as are slaveholders, I mean—are now to grow rich by no such vulgar and ordinary means as labor—by industry or the arts—by the firm, or the factory, or the shop, or the ship; but, obviating all such common usages, they are to grow rich by statute. The Governor's message will make annual acknowledgment, as a grateful Governor should, for the bounty of the season, and the successful husbandry of the



human crop; for if to extend slavery to the Pacific, south of 36° 30', would add billions of dollars to this hearty old Commonwealth, the Governor of Virginia—God bless the Old Dominion for the mother she has been, though long since past child-bearing—may be excused for some extravagance, when, after the whole boundless continent is hers, figures are unable to tell all the money she has made by statute and her ancient trade of constitutional construction.\*

Now, this is the modesty of the thing. There is but one slaveholder to every sixty-seven of the whole American population. Is the whole commonwealth of the public lands, the common riches of the people of all the States, to be inaccessible to the sixty-six, and shall they look on mute, and are they bound to a contented state of mind, while their sixty-seventh neighbor takes all of it to himself? Is this the equality of the States? Is this the equality of the citizen? Is this the cathedral definition of the late political council of Cincinnati, of what is the just and equal privilege of American citizenship? For these are questions to be asked, when the vocabulary of the language has been turned upside down, and words have lost their ordinary meaning, and piracy, by the Ostend manifesto, has been exalted among public virtues, and the sovereignty of the people is the cruel and sanguinary conquest of a mob, and free speech is opinion silenced by the terror of the butcher-knife and revolver, and free opinions are crimes.

And here is some more of the modest expectations of the extensionists. The fourteen millions of the free States are now limited to 612,597 square miles. According to the opinion of the late Mr. Pierce, who would again say so if he were now alive, this is the uttermost limit of the free territory. He said as much in his late messages, except as freedom fought for it, and conquered it. This, then, is a boundary as well fixed as the shore of an ocean. All the rest is the constitutional prerogative of slavery. But the slaveholding States have already a larger area than the free States. They already engross 851,508 square miles; and, not content with this, slavery now arrogates to itself the exclusive ownership of the remaining 1,472,061 square miles of the public lands now unorganized into States. The nine and a half millions of the slave States now claim, for the profit of that institution, three times as much territory as is enjoyed by the whole fourteen millions of the free States.

But we do wrong in speaking of nine and a half millions in the South, interested in the extension of slavery. From this number, at least the three and a half millions of slaves are to be excluded; for they have no hopes, interests, nor happiness of which the human law takes notice. The slave is never a substantive—is always an adjective, a legal fixture of his master.

But even the remaining six millions of the slave

States are not interested, not to say in the extension only, but in the existence of slavery. For even there the non-slaveholders gain nothing and lose much by it—in the value of their lands—much in the wages, and everything in the dignity of their labor, in social importance, in political importance, in the means of education, in every thing pertaining to moral and material prosperity. None of these are to be counted among its beneficiaries.

Who, then, are the gainers? Of our whole population of twenty-three millions, who are interested in maintaining and extending it? The three hundred and fifty thousand slave proprietors, and their necessary retinue of slave merchants and the artisans of that novel branch of republican industry, the manufacture of whips, chains, and coffles. The shareholders of this pretentious interest have the compass and selectness of a tea party. And what is the character of this gain? Is ignorance instructed, knowledge fostered, vice restrained, suffering soothed, labor dignified and rewarded? Is it a gain in that riches that has no expression in numbers—the moral, material, and intellectual happiness and prosperity of a people? Does it augment the national strength, and exalt the national character? Nothing of all this. Governor Wise has imprudently tattled in a public letter of the true and only reason for extending slavery—that there is money in it. The single gain of giving exclusively to three hundred and fifty thousand proprietors of an extraordinary property two and a quarter millions of square miles of the public domain, while the fourteen millions of the North, and the non-slaveholders of the South, are limited to one fourth of this quantity, is all told in dollars and cents—in the decimal currency, as it ought to be.

This is the short logic of the counting-room; but it presents without abridgment or diminution the whole argument in favor of the patriarchal institution. But the arithmetic of the executive of Virginia is worth pursuing, and especially in connection with my present object, to present the comparative forces and resources of the two parties that are now invited to struggle for the control of the public domain—of free industry, backed by civilization and humanity on the one side, and a mere barbaric riches in slaves on the other. There are now four millions of slaves. Grant—much less than his excellency claims, but what is much nearer the truth, and certainly no extravagance of it—that, for the reasons given, the average commercial value of the slave has increased three hundred dollars, and more than a thousand millions of dollars are added by acts of national legislation to the riches of the South; and not to the whole South, for a benefit, though sectional, if equally conferred, would be more tolerable, but to a self-appointed, inconsiderable section of a section, already so powerful and oligarchic as to exclude almost all others from public emoluments and appointments. This large influence of money, and these resources, ample as a kingly treasury, are bent to the propagandism of servitude, and the extirpation of freedom from the public domain. That measure of public justice and humanity, the homestead bill, per-

\* Mr. J. C. Underwood, of Virginia, at the New York Tabernacle, lately stated the annual export of this staple from that State to be twenty thousand of the commercial value of twenty or twenty-five millions of dollars.



ished in the Senate Chamber, because the slave interest demanded that it should die.

I have thus attempted to attract attention to the Missouri compromise, as a sagacious measure long ago deliberated and ordained, and maintained since, as a sure means of preventing the agitation of this vexed and irritant subject of slavery in Kansas. I have alluded to the opposing interests and passions likely, in the absence of such a legal prohibition, to be drawn into conflict with each other—to the breaking down of that barrier, as conducing inevitably to the civil disorders prevailing in that unhappy Territory, unequaled in enormity by any modern example of public crime—to the almost illimitable public domain, of which Kansas and Nebraska are only a fraction, exposed by it to the introduction of slavery and the exhibition of this reign of riot and civil war—to the protracted and desperate struggle it promises, as the field of strife shifts with the progress of our colonization, and now, at length, to the large and aristocratic influence of riches in slaves, that seeks to enter as the controlling element in the contest. Such is this modern war, to give it its true name, of the few against the many—of privilege and caste against poor, but honest industry and numbers.

The present is imminent—the future is full of evil portents. No one now attempts, as was done a few months ago, to hide or deny the deplorable disorders in Kansas. Senator MASON calls it "an unfortunate state of things." Senator DOUGLAS talks of "civil war in Kansas," and of "restoring peace." Few attempt their palliation. They stand confessed, and, behind them, is the mischievous cause, the repeal of the Missouri restriction. A whole people rouses itself indignantly at this wrong to liberty, justice, and public faith. The conspirators against the liberties of Kansas turn pale in the presence of an incensed nation, and at the energy of the passions they have roused and invoked, but which they are too infirm to master. Like the audacious fisherman of the Arabic story, they have raised a spirit gigantic, menacing, cruel, and that threatens to destroy them, and which they can neither soothe nor subdue.

What is the remedy for the evils of misgovernment and crime in Kansas? This is the practical question. It is, in other words, the alarmed and pointed interrogation of the gentleman from Tennessee, [Mr. SMITH.] "I believe," he says, "citizens of both sections have acted imprudently in reference to the difficulties which now exist in the Territory of Kansas. This is not the time to discuss the causes of these unfortunate difficulties, which are fast bringing into disrepute the fair fame of our Republic. They must be stopped, and the question is, how is it to be done?" I answer, restore the Missouri compromise. By this easy means make slavery agitation impossible. Bring back that healing measure, and you bring back the public peace, and strengthen the bonds of union, and reestablish our family love. The old Latins, a sensible set of antique gentlemen, used to speak of the public welfare as the public health. We were hearty, cheerful, happy, at the peaceful sundown of Mr. Fillmore's adminis-

tration. The medicine to the State diseased that is now needful is, to restore us to that condition, and the public health will be restored with it. In his message, dated August 14, 1848, approving the bill erecting the Territory of Oregon, Mr. Polk used the following language:

"In December, 1819, application was made to Congress, by the people of Missouri Territory, for admission into the Union as a State. The discussion upon the subject in Congress involved the question of slavery, and was prosecuted with such violence as to produce excitements alarming to every patriot in the Union. But the good genius of conciliation, which presided at the birth of our institutions, finally prevailed, and the Missouri compromise was adopted. The eighth section of the act of Congress of the 6th of March, 1820, 'to authorize the people of the Territory of Missouri to form a constitution and State government,' &c., provides:

"That in all that territory ceded by France to the United States, under the name of Louisiana, which lies north of 36° 30', north latitude, not included within the limits of the State contemplated by this act, slavery and involuntary servitude, otherwise than in the punishment of crime, whereof the party shall have been duly convicted, shall be, and is hereby, forever prohibited: *Provided, always*, That any person escaping into the same from whom labor or service is lawfully claimed in any State or Territory of the United States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid."

"This compromise had the effect of calming the troubled waves, and restoring peace and good will throughout the States of the Union. The Missouri question had excited intense agitation of the public mind, and threatened to divide the country into geographical parties, alienating the feelings of attachment which each portion of the Union should bear to every other. The compromise allayed the excitement, tranquilized the popular mind, and restored confidence and fraternal feelings. Its authors were hailed as public benefactors."

"Ought we now to disturb the Texas and Missouri compromises? Ought we, at this late day, in attempting to annul what has been so long established and acquiesced in, to excite sectional jealousies and divisions, to alienate the people of different portions of the Union from each other, and to endanger the existence of the Union itself?"

Is not the public mind again disturbed, in consequence of the repeal of the measure that then induced this haughty executive panegyric from your and my late political friend and patron? Are not our attachments curdling into estrangements, and affections and alienations shaping themselves to geographical boundaries? Then, this is the appointed time for that generous measure of sectional compromise and sacrifice to reëxist and do its pacific office. Inert and silent, though pregnant with power, it endured more than a third of a century, a pledge of public peace. Banished at an evil time, but restored and exalted, by common consent, at this season of disquietude and alarm, to its former place of just dignity among our statutes, it is now capable of being not only the gage, but the agent and executive of peace.

The South is rescued from the shame of the inception of that measure. But it is obnoxious to the fault of having permitted it, when the whole North stirred in opposition to it, and it was known that some of its representatives were likely to be false to their own engagements, and the wishes of the North. That repeal could only be useful to the South, if quietly acquiesced in. Now that the struggle for supremacy has commenced, is it certain that the object of making Kansas a slave State will not fail, when firmly opposed by equal energy, and endurance, and

superiority of numbers? And, if the plan succeed, what then? It is something that the South will have lost much of the moral support of its northern sisters. But it is much more, that it shall have first given this flagrant lesson of the vanity of public faith; for, it need not be disguised, it will be met in that spirit. It will be left without assurance of that part of the Louisiana purchase yet unorganized, south of 36° 30'. The third clause of the joint resolution of March 2, 1845, for the annexation of Texas, prohibited slavery north of the same line in Texas, and provided, in the same section, for the admission of four new States by her consent and the consent of Congress. The first part of the section is certainly repealed by the Nebraska bill, and the North will demand in justice, that if one half of the bargain is disclaimed and annulled, the other half shall go down with it. Such is the construction that will be put upon it. There will, then, be no subdivision of Texas. Will the South be content with this?

But this measure is more distasteful to the North. Guarded by this compromise, Kansas and Nebraska were long looked to as the appointed field and direction of its expansion. In the spirit of the letter of Charles Pinckney, written on the night of its passage, dated "Congress Hall, three o'clock at night," in which he said the slaveholding States had gained a great triumph, had added six or eight members to the Senate, and that the North would gain nothing "for a great length of time," the North has bided its time and its advantages long postponed, and rested in security on this act of national faith. This public infidelity now has disturbed its dream, and drawn its people from the places of peace and industry they love; like a guard called at midnight to stand on their defense, and prevent encroachments for the future.

But the South answers, while availing itself of this breach of faith, and attempting to obtrude slavery on Kansas, that its restoration is useless, because its moral power is gone. Is this so? Is the compromise of 1820 remembered with common scorn, as a thing of no obligation, and of questionable wisdom and patriotism? On the other hand, does not the whole Union pay homage to the benefactors who ordained it, and mourn the age of peace that expired with it? And if the act deserves shame and obloquy, do these extend to its authors? Are Calhoun, and Pinckney, and Clay, and Monroe, to be lost from the patrimony of national honor, and perish from the public love, or live only to be the ribald and familiar jests of fresh placemen, complaisant with consequence, who try to strut in extraordinary stature in their places? And the fathers of the Republic, who were present, and helped to lay its deep foundations, and often laid down, by line and plummet, the constitutional power and duty to exclude slavery from the Territories,—are they, too, to be comprehended in the catholic scorn this school of charlatans is visiting on the whole past?

The Missouri compromise is without legal efficacy, but is shorn of none of its moral power. It has its place in history and its hold on the public heart. It is felt not to be lost, but only banished.

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It will be regarded the more because it has seemed to be in hazard. Its restoration will be hailed as the augury of permanent peace. It will kindle illuminations, and fill the land with gladness, and the whole nation will go forth to greet it, as old Athens at the crisis of her fate, when the barbaric host cast its shadow over all her seas and plains, poured out from all her gates to bring home the banished Aristides.

This is needful for two reasons—in justice to the injured North, to rebuke her betrayers, who, false to representative duty, and for purposes of personal aggrandizement, made commerce of the national honor and happiness; but, for the greater reason of reassuring good faith and generous compromise, as the only means of lasting harmony.

Such is republicanism to-day. It bath this extent. It has no purpose to offend or assail the South, for it would then be sectional. It does not espouse any local or limited interest of the South, for that, too, would be sectional. But it has a national regard for the Union and the interest of all the States alike. It holds them by the exact limits established a third of a century ago by national men, and asks no more, and will take no less. It accedes to the very terms that the South, jealous of honor, made for itself. So determined, it will plead its cause at the forum of the people for its faith and justice, and allow excellence, in no quarter, for superior devotion to the Union.

If it was right and constitutional to pass this act in 1820, it is right and constitutional now. A modern philosopher, given to puzzling himself on all sorts of abstractions, finally reasoned himself into universal skepticism, and grew into the belief that nothing whatever existed, mind or matter, and wrote a book on the subject. Our constitutional expounders, in this age of searching analysis, have made almost as much progress, and reasoned away most of the constitutional powers, as well as the solid bottoms they were supposed to stand on. Among other things, they have explored the powers of Congress to govern its own territory, and especially on the subject of slavery there, and find it all unconstitutional. Mr. Jefferson thought the Constitution gave no power to acquire territory. They have no difficulty in finding in the Constitution abundant power to acquire territory, and understand the whole subject much better than Mr. Jefferson. Jackson, Webster, Calhoun, Polk, Clay, were in favor of the principle of the Missouri compromise; believed that Congress had the power, after acquiring territory, to govern it, as a farmer has a right to use his farm as he pleases; exclude slavery or not; and acted on it. These expounders know better, and only pity them for living and dying in the delusion. I have nothing to say to these constitutional schoolmasters. I am content to stand by the faith and practice of the fathers and of the pure age of the Republic.

But there is a class which goes further, and challenges our public history as against the power. The gentleman from Georgia [Mr. STEPHENS] lately made the following statement:

"I say that the fathers who made this Republic, from the



beginning of it—from the date of the Constitution and up to 1820, never, in a single instance, exercised the power of excluding the emigration of slaves from any of the States of this Union to the common territory.”

I venture to confront it, and, in no offensive manner, to contradict its historical accuracy. I deny it altogether. I aver, on the other hand, that in theory and practice, by reason, usage, and precedent, under the Confederation and under the Constitution, from the beginning of the Government to the passage of the Nebraska act, the power of Congress to legislate for the Territories on all subjects, including the particular subject above named, has been asserted and maintained. This is a broad proposition, but its truth is impregnable. And when government has been maintained through the Territorial Legislatures, or through officers of territorial creation, it has been by the express authority of Congress, and by the use of its own delegated power, which it could take away at pleasure. Congress has always used this power directly or by indirection. It is evinced in our legislation, where its instances are strewn all over its pages—it has been maintained in judicial decisions of all our courts, State and Federal, from the highest to the lowest. It has been maintained in the executive administration of our laws. It is the salient fact of the history of our Territories, standing out distinguished, like a promontory. And I challenge the proof of the gentleman's proposition by examples. At least, let history be spared from wrong for mere party objects.

I do not mean to go over the large range of proofs that have been so often told and illustrated, but to allude only to the less familiar history of my own State.

Sir, that original Abolitionist, Thomas Jefferson, who, not content with stirring up rebellion against King George, and setting the country in a blaze, went abroad publishing what are now considered fanatical sentiments of human freedom and progress, for which, if he were in Kansas to-day, he might enjoy a prison, with an iron ball and chain fastened to him, and a Bible to improve his morals by, according to the second and fifth sections of chapter twenty-two of that amiable code of laws—Thomas Jefferson inaugurated legislation to exclude slavery from the public lands. Restriction and intervention began with him. The gentleman from Georgia, while reading the Holmes letter, which I shall hereafter refer to, said he wanted from Jefferson no abstraction, but something practical. Here it is. On the 1st of March, 1784, Jefferson, as chairman of a committee to devise a scheme of government, in the language of the Journal, for “the transmontane half of the American Republic,” comprehending the region beyond the mountains, from the north boundary of Florida to the lakes and the Mississippi, reported a bill to the Congress of the Confederation, subdividing it into seventeen States, and containing the following section:

“Eighth. That after the year 1800 of the Christian era there shall be neither slavery nor involuntary servitude in any of the said States, otherwise than in the punishment of crimes of which the party shall have been duly convicted to have been personally guilty.”

That is practical. It applied to every inch of the public lands from the lakes to Florida. It did not stand, in the language of the gentleman from Georgia, “on the principle of a division of the Territory.” It gave all to freedom, for that was the impulse and the end—the beginning and the final cause of the revolutionary struggle. It went further, and organized them as States, and said slavery should not exist there, when organized into States.

This section failed, from the accidental absence of one New Jersey member, seven States being necessary to pass it. On what trifles great events depend! If it had passed, the Alleghanies would have been the western wall of slavery.

The government of Territories was then a new business; and the ordinance of 1784, passed on the very day of the Virginia grant, and when it was supposed it would include Kentucky, was too clumsy to work well. This led afterwards to the celebrated ordinance of July 13, 1787, the corner-stone of the prosperity and happiness of the Northwest. It differed from the former, in making the expulsion of slavery immediate, and in being limited to the country between the Ohio and Mississippi. It was reported by a committee, consisting of Carrington and Richard H. Lee of Virginia; Nathan Dane of Massachusetts; Smith of New York; and Keen of South Carolina,—names familiar to us as household words. It was reported in the language of the former act of Jefferson. It was passed by the vote of all the States, and of all the delegates from all the States but one from New York. It again prohibited slavery forever from what was then the whole national domain—and not only while the Northwest remained a Territory, but after it should be organized into States. It did more. The prohibition entered into territory where slavery was then lawful, and where it in fact existed, and expelled it violently from the territory. It disdained the existing property in human suffering and human life. It was ignorant of that new equality of the States, by which a small class of patriarchs, whether from Utah or South Carolina, shall occupy the public lands, filled with natural gifts fit for freemen, to the inconvenience and expulsion of everybody else. This kind of republicanism was then national. Every State was for it. Can the gentleman from Georgia tell the time when it became sectional, or how it became so, or who made it so? This first child of freedom was born just as it was, wholly free from the common will of the whole Union.

But it will be answered, that this ordinance was passed by the Congress of the Confederation, and before the Constitution. Grant it. This makes the case much stronger. The Congress of the Confederation, like the present Congress under the Constitution, could only use powers expressly granted. This Congress can do nothing not permitted by the Constitution. That Congress could do nothing not permitted by the Articles of Confederation. But, by the Articles of Confederation, no power of any kind, in express words, was granted to acquire or to govern territory. It was attempted to derive it in the



power to collect revenue, and in the power to regulate intercourse with the Indian tribes. But this was abandoned, and the right was rested, where the Supreme Court of the United States now rests it, under the Constitution, on the better principle, that the owner of the territory, of course, has the right to govern it for all purposes.

If, therefore, the Congress of the Confederation, when the power to govern the Territories was, in terms, so doubtful, could, under that instrument, enter that Territory, expel slavery and substitute freedom, much more can it be done under the Constitution of the United States, which conveys express power to Congress to make all needful rules and regulations for the Territories and other property of the United States.

It deserves, too, to be remembered, that the Congress that passed this ordinance, and the convention that framed the Constitution, sat at the same time, and that many of the members belonged to both, and knew very well, nobody better, what powers the Articles of Confederation lacked, and what powers it was necessary that the Constitution should have.

But this doubt was very soon put to rest. The first Congress under the Constitution, composed in part of the men who had framed that instrument, met, and, on the 7th of August, 1789, reenacted the ordinance of 1787, without a division. Washington, who had been the president of the convention that framed the Constitution, approved the act. Who knew better the significance of that instrument than those who made it? than he—I express it all when I speak the name of Washington—who, in presiding at the work of its creation, gave the Union hopes of a duration more lasting than brass or marble? Washington, by this act, gave the consent of his judgment that it was constitutional and right, and consistent with the genius of American government, to expel the political wanton, slavery, from the national territory.

The preamble of that act is worthy of notice:

"Whereas, in order that the ordinance of the United States, in Congress assembled, for the government of the territory northwest of the river Ohio, may continue to have full effect, it is requisite that certain provisions should be made, so as to adapt the same to the present Constitution of the United States. Be it enacted, &c."

The act then provides that the Governor of the Northwest Territory shall communicate to the Congress of the United States the information required under the ordinance of 1787, and that then the President shall appoint officers, &c. Mr. Pierce, in his late message, says that this ordinance was repealed on the adoption of the Constitution. This is worthy of the President's ability at constitutional construction. If the ordinance was repealed, and the government dissolved, what Governor was there to report anything? What was he Governor of? If the ordinance was repealed, and this law did not reenact it, by what law was the Northwest Territory governed, until the establishment of Ohio as a State on the 30th of April, 1802, for there was no other law? This modern executive opinion is too weak for controversy. The very preamble of this law states the ordinance to be continuing

to have effect; and the object of the law was that it might continue to have full effect. Sir, Washington and the first Congress of the Constitution believed that it was a constitutional right and duty to expel slavery from the Territories, and maintain it so forever. This is what republicanism claims. Washington baptized our creed, and made it national. The gentleman from Georgia can see something practical in this, and will not attempt to wrestle with this high authority.

Ohio being about to be admitted into the Union, Congress, on the 7th of May, 1800, erected Indiana Territory. It provided for it "a territorial government, in all respects similar to that provided by the ordinance of Congress, passed on the 13th of July, 1787, for the government of the territory of the United States northwest of the river Ohio." Thus Congress again asserted its power to legislate to every extent on this vexed question for her Territories. President Adams approved the act, and Jefferson executed it.

It was in April, 1802, that Congress passed an act authorizing the people of Ohio to form a State constitution. The convention met at Chillicothe in November. Governor St. Clair addressed it. Here squatter sovereignty began, and first lifted up its head. What became of the head will be seen in the sequel. Mr. Douglas and Mr. Dickinson may end their rivalry for this patent. Governor St. Clair was the inventor and discoverer, and the time for it to be of profit to any one is ran out. He then said:

"The people of the Territory require no act of Congress to authorize them to call a convention and form a constitution, and the act of Congress is a nullity. For all internal affairs we have a complete Legislature of our own, and in them we are no more bound by an act of Congress than we would be bound by an edict of the First Consul of France. The five thousand persons that were let off to the Indiana Territory have been divested of their rights. We have the means in our hands to bring Congress to reason, if we should be forced to use them."

In consequence of being ignorant of what is known to Mr. Pierce, and every one who takes political communion with him, to be the sovereign rights of the people of the Territories, Mr. Jefferson simply crossed his legs, as he was in the habit of doing when he took a decided resolution, and directed Mr. Madison, his Secretary of State, to write the following letter:

"SIR: The President, observing in an address lately delivered by you to the convention held at Chillicothe, an intemperance and indecorum of language towards the Legislature of the United States, and a disorganizing spirit and tendency of very evil example, and grossly violating the rules of conduct enjoined by your public station, determines that your commission of Governor of the Northwestern Territory shall cease on the receipt of this letter.

"I am, &c., JAMES MADISON.  
"ARTHUR ST. CLAIR, Esq., Chillicothe."

The putting the Federal head of Arthur St. Clair in a charger—the Federal head out of which squatter sovereignty was born, and where it died—was a piece of somewhat practical conduct in Madison and Jefferson.

Illinois Territory was created by act of Congress, February 3, 1809. The fourth section applied to it the ordinance of 1787. This was approved by Madison. The same had been done

for Michigan by the act of January 11, 1805, approved by Jefferson. The same was afterwards done for Wisconsin by the twelfth section of the act of April 20, 1836, approved by Jackson.

But Jefferson and Madison at that time carried the doctrine of the power of the Constitution over the subject of slavery in the new States that had been formed out of the public domain, to a greater extent than is now generally maintained. Jefferson approved the act of Congress authorizing Ohio to form a State constitution; Madison the act of April 19, 1816, conferring the same power on the people of Indiana; but both these acts forbade them from adopting constitutions repugnant to the ordinance of 1787. They were forbidden from incorporating slavery, even when clothed with the full dignity and authority of States.

I have here passed by an extraordinary example of the assertion of this power by Congress, and now return to take it up. The first population of Indiana Territory was drawn to it by the Ohio river, and principally from the neighboring States of Virginia and Kentucky. Their characteristic institution was excluded by the ordinance of 1787, and having then, in the infancy of constitutional construction, no notion of their absolute rights to do what they pleased, and especially on that subject, applied to Congress for its suspension. A territorial convention of elected delegates assembled at Vincennes, and was presided over by General Harrison, the Father of the Northwest. It will be seen that it differs from the opinion of President Pierce, as to the ordinance of 1787 being then repealed. The petition to Congress then agreed upon, now time-worn and dilapidated, I have obtained from its slumbers in the Archives in this Capitol, and, though somewhat lengthy, incorporate here:

The memorial and petition of the inhabitants of the Indiana Territory respectfully sheweth:

That nine tenths of your memorialists, being of opinion that the sixth article of compact contained in the ordinance for the government of the Territory, has been extremely prejudicial to their interest and welfare, requested the Governor, by petitions from each of the several counties, to call a general convention of the Territory, for the purpose of taking the sense of the whole people, by their Representatives, on a subject to them so interesting, and of afterwards taking such measures as to them might seem meet, by petition to your honorable bodies, not only for obtaining the repeal or suspension of the said article of compact, but also for that of representing and petitioning for the passage of such other laws as would, in the opinion of the convention, be conducive to the general welfare, population, and happiness of this distant and unrepresented portion of the United States.

This convention is now sitting at Vincennes, and have agreed to make the following representation to the Congress of the United States, not in the least doubting but that everything they can desire, (not prejudicial to the Constitution or the interest of the General Government,) will readily be granted them.

The sixth article of compact between the United States and the people of the Territory, which declares there shall be neither slavery nor involuntary servitude in it, has prevented the country from populating, and been the reason of driving many valuable citizens, possessing slaves, to the Spanish side of the Mississippi, most of whom, but for the prohibition contained in the ordinance, would have settled in this Territory; and the consequences of keeping that prohibition in force will be that of obliging the numerous class of citizens disposed to emigrate to seek an asylum in

that country where they can be permitted to enjoy their property.

Your memorialists, however, and the people they represent, do not wish for a repeal of this article entirely, but that it may be suspended for the term of ten years, and then to be again in force; but that the slaves brought into the Territory during the continuance of this suspension, and their progeny, may be considered and continued in the same state of servitude as if they had remained in those parts of the United States where slavery is permitted, and from whence they may have been removed.

Several persons (as your memorialists are informed) having settled on the public lands in this Territory, with the intention of purchasing the same when offered for sale by the United States, are fearful that advantage may be taken of their improvements to enhance the price: your petitioners therefore pray that a law may be passed for their relief, giving the right of preemption to all those who may have so settled on the public lands; and also, as one of the more sure means as well of populating the country as of enhancing the value of the United States lands remaining undisposed of in the Territory, they further pray that provisions may be made in the said law for securing a certain part of every section of such public land to those who will actually settle on and cultivate the same.

The United States having pledged themselves, in the ordinance, that schools and the means of education should be forever encouraged, and having, in all the sales of land heretofore made, reserved considerable portions thereof for that purpose, your memorialists therefore humbly pray that a law may be passed making a grant of lands for the support of schools and seminaries of learning to the several settlements of the Territory, to wit: the two settlements on the Illinois, the settlement of Vincennes, and that of Clark's grant, near the rapids of the Ohio.

Your memorialists further show, that they view that part of the ordinance for the government of the Territory which requires a freehold qualification in fifty acres of land, as selector for members to the General Assembly, as subversive of the liberties of the citizens, and tending to throw too great weight in the scale of wealth. They, therefore, pray that the right of suffrage (in voting for representatives to the General Assembly) may be extended to the free male inhabitants of the Territory, of the age of twenty-one years and upwards, but under such regulations and restrictions as to you, in your wisdom, may seem proper.

Since the erection of the Territory into a separate government, the attorney general thereof has prosecuted not only for offenses committed against the municipal laws of the Territory, but also against the laws of the United States, and has been obliged at three different times to travel one hundred and sixty miles from his home, the seat of the territorial government, to prosecute offenders against those laws, and yet he has received no compensation for his services, either from the United States or the Territory, nor is it probable that the Territory can afford to allow him any salary for any of his future services.

Your memorialists, therefore, pray that a law may be passed allowing a salary to the attorney general of the Territory, adequate to the important services which are rendered by that officer to the United States as well as to the Territory.

Your memorialists are well aware that the consideration of the numerous objects contemplated by this memorial will require more time than can well be spared from the important and general concerns of the Union, but when they reflect upon their neglected and orphan-like situation, they are emboldened to hope that their wants and wishes will meet with all the indulgence and attention necessary to secure to them the relief which is so essential to their welfare and happiness.

Done at Vincennes, in the Indiana Territory, the 28th day of December, in the year of our Lord 1802, and of the Independence of the United States, the twenty-seventh.

By order of the convention:

WILLIAM HENRY HARRISON,  
President, and Delegate from the county of Knox.  
Test: JOHN RICE JONES, Secretary.

What a picture of the past so recent as to be in the memory of living man! A citizen of that State may well feel emotions of just pride at its benevolence and wisdom. It is witnessed by the firm and honest hand of President Harrison. It



is dated in the twenty-seventh year of independence, of which, even on the frontier, its people had a share. It acknowledged its dependence on the authority of Congress. It foreshadows the beneficial law of preëmption. It foreshadows to the settler the homestead bill, and his own inalienable home on the public lands. It testifies of the value of knowledge and virtue, and of schools and seminaries for their diffusion. But all that broad domain, now occupied by six millions of people, filled with cities, villages, and fair fields, fruitful as Egypt, abounding in virtue, patriotism, and knowledge, bound together to each other and to the other States by bands of iron, and moving annually a commerce of seven hundred millions of dollars, and yet pursuing its career, foremost in the race, was then too poor to pay a lawyer.

Congress listened to this respectful language of petition, and created a committee of singular merit to consider it. The report of the committee, concurred in by Congress, was made by John Randolph, Jr., of Virginia.

"That the rapid population of the State of Ohio sufficiently evinces, in the opinion of your committee, that the labor of slaves is not necessary to promote the growth and settlement of colonies in that region. That this labor, demonstrably the dearest of any, can only be employed to advantage in the cultivation of products more valuable than any known to that quarter of the United States. That the committee deem it highly dangerous and inexpedient to impair a provision wisely calculated to promote the happiness and prosperity of the north-western country, and to give strength and security to that extensive frontier. In the salutary operation of this sagacious and benevolent restraint, it is believed that the inhabitants of Indiana will, at no very distant day, find ample remuneration for a temporary privation of labor and emigration."

Thus, in the language of the gentleman from Georgia, the fathers of the Republic did exercise "the power of excluding the migration of slaves from the States to the common Territory."

It has often been said, that the grant from Virginia required the exclusion of slavery in that Territory. This is an error. The grant was unreservedly of "all right, title and claim, as well of soil as jurisdiction," and was wholly unfettered by any condition on the subject.

Indiana Territory then comprised all of the present states of Indiana, Illinois, Michigan, and Wisconsin. Illinois and Wisconsin then formed two counties of the Territory, St. Clair and Randolph, with an official population in 1801 of four thousand three hundred and eleven, principally at Prairie du Chien, also, on the Illinois, and at Cahokia and Kaskaskia, descendants of the French explorers of the valley of the Mississippi, commencing with La Salle.

The infant people of Illinois then met in delegated convention. The convention occurred on the 25th of November, 1805. It was presided over by the venerable John Edgar. In the petition then adopted, which is now moldering in your archives, they describe themselves "as the people of the Illinois," they ask for "the erection of a colonial government on the Mississippi;" they allude to the struggle by which they themselves conquered the northwest territory into the Union; they say that the expense of such a government is trifling to so great a nation as this, and that by its weight it would "control and

dissipate those hordes of restless adventurers, who, by penetrating into the illimitable regions of the West, might defy the national arm and commit the national peace." Among other things, they adopted the following resolution, making their own italics. Even they had not discovered that the ordinance of 1787 was repealed:

"And whereas the ordinance of 1787, for the government of this Territory, is respected by the people as the Constitution of their country, this committee entertain a hope that the General Government, after guarantying to the public the privileges in that ordinance contained, will not pass unnoticed the violation thereof, by the late act of the Legislature of this Territory, authorizing the importation of slaves, and involuntary servitude for a long term of years.

"And although this committee entertain no doubt but that the act in question will render service by adding a spring to the growth of this country, they express the disapprobation of a people who never will consent to a violation of that ordinance for this privilege of slavery. When Congress shall deem a change of the ordinance expedient, they will cheerfully agree to the measure."

Such was squatter sovereignty in Illinois before the cradle of Senator Douglas was rocked.

For the vindication of the honored history of Indiana and Illinois, I turn again with regret to the present Executive of Virginia, and the extravagant language of a special message of January 22d last, in which he refers to Virginia and her former sovereignty of the Northwest:

"She was then sovereign of an eminent domain, ample enough to pay officers and men to fight the armies of kings. To cement the union of the States—to harmonize and strengthen their confederacy—she afterwards ceded, with more than generous devotion, the whole of her northwest territory to the General Government, reserving only what was called the Virginia military land district, between the Miami and Scioto rivers, in the State of Ohio. The last power on earth to question the substance or form of her pledges is the General Government, to which she has been so generous."

Without any motive to disparage the honor and patriotism of that illustrious old Commonwealth, I hold that Virginia had no property or right there, except in the reserve alluded to, and another, (Clark's grant,) omitted inadvertently, and this only by the permission and silence of Congress.

The facts are few. In 1609 King James created the Virginia company, with license to settle a colony in America between 34° and 45° of north latitude, extended west to the ocean. He afterwards gave two or three other charters, extending the privileges of the same company. In 1624 the validity of these charters was brought into law, and judicially denied. The Virginia company was dissolved. In 1625, after the invalidity of the previous charters had been decreed, Charles I. made proclamation of the fact, and declared Virginia to depend on himself for government. It was afterwards governed by royal commission. The lands were disposed of by the Crown. Maryland, North and South Carolina, and Georgia, were, by the same kingly authority, erected out of its limits. Conflicting grants within the same parallels of latitude were made to New York, Connecticut, and Massachusetts. The western boundary of Virginia was fixed by the King in council at the Alleghanies.

For one hundred and fifty years Virginia was silent. But, in 1776, it claimed the rights of the charter of 1609. Maryland resisted this extraor-



dinary assumption; North Carolina also resisted. Other States claimed the same territory, and for better reasons. Virginia carried it with a high hand, and opened a land office. Congress remonstrated. Settlers, under the authority of Virginia, went across the Ohio. Congress had them arrested and expelled. Virginia remonstrated. But Congress, by resolution, April 17, 1780, ordered that their officers should be supported in the act.

The question of title to the Northwest was then referred to a committee of Congress. It reported November 3, 1781, and decided, that by the public acts of the other States, the title was in New York. Virginia then wanted a Federal guarantee to the territory southeast of the Ohio. The committee refused it on the ground "that large tracts west of the mountains had been sold by the King before the Revolution, and that in the year 1763 a very large part thereof was separated and appointed for a distinct government and colony by the King of Great Britain, with the knowledge and approbation of the government of Virginia," and that its western boundary had been otherwise declared. Congress not only denied her right to the Northwest, but to the country, also, on the southeast side of the Ohio.

Such was the title of Virginia to the Northwest, based on a charter, judicially condemned, the condemnation silently agreed to for one hundred and fifty years, pretentiously revived during the Revolution as a bone of contention, denied by the Congress of the Revolution, and her title at length received, not because it conveyed any right, but because it settled a pertinacious claim, and on the severe condition of leaving to Virginia all of Kentucky, the Miami grant and Clark's grant.

The true glory of acquiring the Northwest Territory to the Union, much better than an exploded paper title, with the silent dust of one hundred and fifty years on it, belongs to the conquerors of the British post of St. Vincent, on the Wabash, February 24, 1779. That post was, except Detroit, the only British garrison between the lakes and the gulf, and, strong itself, was more alarming because it sent forth the savage incursions that so often made the western frontier red with the blood of its people, and lit up the midnight with the flames of their dwellings. Vincennes was won by a force composed principally of the colonists of Indiana and Illinois—of Kaskaskia and the French settlements on the Wabash, making a winter march in order to surprise it, wading miles of freezing rivers, and exhausted by fatigue and hunger. And, although ardent Virginians, recruited into Clark's regiment after its return to the south side of the Ohio, and after the victory was won, and no service of danger was to be done, managed to engross the principal part of the liberal gift of one hundred and fifty thousand acres of land for this distinguished service, let the honest fame of the conquest rest where it belongs. I have referred briefly to these facts, because, not content with the profits of the assertion of this unparalleled claim, Virginia now maintains a historic title to gratitude.

I have thus referred to the immemorial and

consistent practice of the Government, under the Confederation and under the Constitution, on the subject of the government of the Territories, and especially in restraint of slavery, up to the present Administration, that is now drawing to its end with such universal popularity and satisfaction. It has been the faith and works of Washington, Adams, Jefferson, Madison, Monroe, Jackson, and Harrison. Republicanism is content to wander with such guides. Nor have I been able to notice similar restraints and conditions imposed on the Mississippi Territory, on Louisiana, on Minnesota, and Iowa, and I think, with equal force on New Mexico and Utah; nor have I referred to the uniformity of judicial decisions, State and Federal, with which this necessary congressional power has been maintained. But the executive, judicial, and legislative history on this subject are parallels.

In answer to all this, the gentleman from Georgia refers to Madison's memorandum to Walsh, and Jefferson's letter to Holmes. Let it be noticed that this reference is made to imply that they thought Congress had no power on the subject of slavery in the Territories. Let it be noticed, too, that the point in dispute in that severe struggle that preceded the adoption of the Missouri compromise, was not of the power of Congress over the subject of slavery in the territories, but of its power to regulate the subject of slavery for a State at the time of its admission into the Union. The following extract from the memorandum to Mr. Walsh is, then, the refutation:

"The power, however, be its import what it may, is obviously limited to a Territory while remaining in that character, as distinct from that of a State."

The Holmes letter is a just condemnation of freedom entering into bargains and compounding felony with slavery by geographical partitions. As applied to the admission of Missouri, then applying for admission into the Union, which, with the restriction, was the subject of that letter, he questions its expediency, but does not deny the power, but admits it by speaking of it as an "act of power." Jefferson avoided this geographical difficulty in the act of 1748, by proposing to exclude slavery from all territory. Following his footsteps, if no better pacific alternative is offered, we are preferred to escape geographical differences by maintaining this complete exclusion now.

This question is vital to the national peace, and prosperity, and honor. Its importance gives it a controlling position. It is now to be heard and submitted to the tribunal of the people. Mr. Buchanan and Mr. Fremont are representative men. The former has been remarkable for the convenient variety of his opinions. He may be characterized as holding opinions of accommodation, not so much his own and for personal use, as to oblige others. He is always with the flock, but always brings up behind. He does not lead the van, but journeys in the rear with the provision wagons. Honored in private life, he allows himself to be the idol of a party of great historic renown, now recruited and principally composed of its hereditary enemies, debauched from its purity and heretical to its faith. He is remarkable

for his vicissitudes of opinion about the Missouri compromise. He at first opposed it, because freedom ought, he said, to have all of Louisiana. He wrote resolutions, uttered speeches, signed memorials. After the Missouri compromise was passed, he heartily approved it. From this period, he is commended by the Union for his subservience to the South. When Texas was to be annexed, he saw, with his own eyes, the hand of Providence leading Ham's poor, enslaved children across the Rio Grande to deliverance, and he filled himself with gladness. When, afterwards, the slice had been cut from the Mexican loaf, and the Wilmot proviso was offered, he was recovered from the disease of freedom to all the Territories that afflicted him in 1819. The Wilmot proviso was then inexpedient, fanatical, and revolutionary. He changed his mind once more, and it ceased to be insane and improper, and then he and Mr. Douglas were for geographical parties, and pushing the line of 36° 30' to the Pacific. At this jubilant period he wrote to the Berks county Democracy, who have interpolated on their creed the immortality of General Jackson, that the Missouri compromise had once saved the Union, and would do so again. The Missouri compromise was repealed. On account of it he could not contain himself for joy, on the eve of the Cincinnati convention, and wrote so to Mr. Slidell. Bewildered man! He has turned round until his head is dizzy, and now rises, after the nomination, before a collection of friends, and says, like Rip Van Winkle, out of his long sleep, he is not himself, and don't know himself. He is as unsettled in political as in domestic life. In order to ascertain where he will next make port, it is necessary to look at that sailing chart, the Cincinnati platform.

Mr. Pierce's administration is admired by that convention, and Mr. Buchanan is to do like him. The President has divided his administration between weakness and wickedness. I stop, in specifying, at one accusation. The President has permitted law and order to be trampled under foot in Kansas, its franchises violated, its people conquered, its villages inflamed, its people hunted, robbed, murdered—for the sake of extending slavery into a Territory that he thrice said should be kept free forever. It has not been a fault of ignorance. He has known it, winked at it, encouraged it. The question is, shall a successor be chosen to maintain the sovereignty of disorder and crime; for such as it has been, Mr. Buchanan has adopted it all.

Leaving out of consideration altogether the investigations of the Kansas committee, the executive minutes of Governor Reeder, kept at the time, and communicated to the President, show that Kansas was enslaved and conquered by the election of March, 1855. The President had been made aware of the armed invasion of November, 1854, and was warned of its probable repetition in March, but his voice and influence were silent. Compare the official census of the 3d of March, 1855, with the number of voters on the 27th of the same month, as abstracted from the executive minutes, and the proof of the invasion and conquest is complete.

*Census of Voters in Kansas, March 3, 1855, and votes polled at the legislative election for Councilmen and Representatives in the Territorial Legislature, March 30, 1855:*

Council districts.	Voters by census.	Votes polled.	Number of Councilmen.		Representative districts.	Voters by census.	Votes polled.
1	465	1,186	2	confirmed.	1	369	1,044
2	212	341	1	rejected.	2	199	341
3	193	649	1	"	3	101	376
4	442	855	2	confirmed.	4	47	80
5	253	350	1	"	5	442	855
6	201	540	1	"	6	253	350
7	247	486	1	"	7	53	234
8	215	203	1	"	8	59	39
9	208	417	1	"	9	36	75
10	468	1,206	2	"	10	63	92
	2,905	6,333	13		11	24	372
					12	78	-
					13	96	242
					14	334	727
					15	308	417
					16	385	964
					17	50	62
					18	28	62
						2,905	6,333

If this result is honest, the population seems to have doubled in less than a lunar month, and at that inclement season, when, least of all, emigration takes its way to the unbroken wilderness. The distribution of the invading force was such as enabled it to conquer every poll but one in the Territory.

If, in spite of these figures, and the accumulation of proof which establish the contrived and effected outrage of the franchises of the citizens of Kansas, gentlemen still persist in doubting it, I take them for a moment, and for the sake of argument, at their word. Let it be granted that the election of Kansas was an honest election by the "actual, resident inhabitants" of the Territory only. The election was an upright, undisturbed, unspotted act of government. The judges, unterrified and unexpelled from their places, were the serene, official spectators of the great representative act of election, and voters came from quiet homes, even on the margin of the wilderness, to these scenes of peace, and registered their creation of their own officers of legislation. Let all this be granted.

But then follows this inevitable conclusion: if Kansas has such an honest speed of population that, in twenty-seven days, from the 3d of March, 1855, to the 30th of March, 1855, her voting population much more than doubled; and if, in her infancy, she has been able to evince such a singular decorum and ability in conducting a popular election, now, at the end of sixteen months, she is wise enough and populous enough to be admitted as a State. Jefferson thought twenty thousand a sufficient population for the purpose. Kansas has much more. Will gentlemen who scoff with incredulity at the wrongs of Kansas, and believe in the fairness of this election, now take her as she comes, bringing her



self-created constitution, and assist in raising her to the dignity of a State?

But I repel this affectation of unbelief. The outrage on Kansas is obvious, transparent history. It was a comprehensive and complex political conspiracy, conceived in the most despised of sordid passions, detestable in its objects, promoted by bad men, defiant and rebellious to the laws, aggressive on social and political rights, made more efficacious by secrecy and concealment, and conducted to its consequences by such a course of enormities as have not elsewhere disgraced the last ages of mankind. Nor, in order to maintain this, is it necessary to go in search of outside sources of information—to letter-writers and newspaper information, flippantly so called, though these are the materials out of which sober history, by its own analysis and chemistry, will, in the quiet time to come, derive its truth and stigmatize this offense. But the fact is made evident by these plain, irrefragable figures, not of speech, but of arithmetic, and of official exactness, set down in the foregoing tables.

Let us look at them. The Territory of Kansas as organized by the Kansas act lies between the thirty-seventh and fortieth degrees of latitude. It stretches west, from the western boundary of Missouri, through more than thirteen degrees of longitude. To state it approximately, it is two hundred miles in breadth, and more than eight hundred miles in length. It appears on the map like a riband.

And now I bring the accusation, that these unnatural boundaries were established, inconsistent with the present or future interests or industry of its inhabitants, for the purpose of aggrandizing the interests of slavery. It does not reach down on the south to the line of thirty-six and a half degrees, the old Missouri compromise line, in order that sufficient territory might be left south of the southern boundary of the Territory to establish a slave State. Thus here was "a pasture fresh and new," sought for and intended, deemed certain to become a slave State in the maturity of time, and therefore not ordained. And on the north it did not reach to the northern boundary of Missouri, or further, to its natural and proper boundary, the Platte, whereby Kansas, instead of being, as it is now, only one fourth as large as Nebraska, would then have approached it nearer in size. This was done in order that Kansas, as it was organized, might be made more inaccessible to northern population, that it might be hid away from them behind the corner of Missouri, and that Missouri, largely interested in slaveholding, might, along its two hundred miles of common boundary, impend its overshadowing influence over it. So the boundaries of Kansas were made, not for a national good, but for a sectional good—in the South, to add the influence of a future state to the interest of a section; in the North, and with the same object of promoting the interests of that section, to shut out all the free States from its enjoyment. The apt condition for criminal enterprises, from the shape and position in which the Kansas bill left that Territory, led the way to the conspiracy.

Our dealing now is with these official figures.

The area of Kansas is about one hundred and fifty thousand square miles. At the time of the census, there was not so much as a voter to every fifty square miles of territory; or suppose, which is true, that population was confined along the principal rivers, and had not yet stretched more than one fourth the length of the territory, away from the Missouri boundary, there was not yet one voter to every twelve square miles. It would have been extraordinary if one half the enumerated voters had been present at the polls. In a new country, population is always poor. It earns and breaks every day its bread of life. At the time of the Kansas election, the season of preparation for the summer and autumnal harvests was on them. Living at long intervals, new settlers communicate rarely, and do not make common sentiment or concert action. In the Territories, going to vote was deemed less important, from the immemorial experience of the considerate benevolence and protection extended by Congress over the Territories.

At the late Delegate election in Nebraska, four times larger than Kansas, its machinery of government put in operation earlier, as much within the flow of emigration, and with a navigable river for its boundary for a thousand miles, only twelve hundred votes were polled. Such is only an ordinary unconcern about elections in new communities!

But, on that election day in Kansas, instead of fifteen hundred, more than six thousand votes were polled. On that day Kansas was conquered—conquered by an invading enemy by the appliances and under the forms of law, that had been sanctified here for her happiness, peace, and safety; in outrage of the guarantee to leave her perfectly free to make and maintain her own laws subordinate to nothing but the Constitution; in bold defiance of the national authority, and in subversion of the social and political rights, not of themselves only, but of all of us. To the national shame, that conquest has been permitted to endure. And we hesitate to vindicate the national authority that has been insulted, and remain deaf to the cries of distress from the youngest child born to us out of the public domain by the creative vigor of our laws.

At the first exercise, then, of the great act of sovereignty by a popular election in the Territory of Kansas, in the whole bounds of which there were only 2,905 voters, there was the astonishing result of 6,333 votes. A majority of those who conducted that election were strangers to the inhabitants and to the soil of Kansas. This is your public official history. Even on the supposition, that every registered citizen shared in that election, the invaders, numerically greater, became the illegitimate masters of the franchises of Kansas. The true people of the Territory were crushed out by those who were not within the privileges and qualifications of the organic act.

The invasion was only the ripening of a previously formed conspiracy. Here the offense rises to the turpitude of crime. It was a conspiracy, because such masses of men could not, otherwise, have been precipitated together on the



Territory, without preconcert, and without a common object. It was a secret conspiracy, or, otherwise, some curious ear or some omnipresent Argus of the press would have caught a knowledge of it, and the world been told the processes by which a great crime is born. It was a conspiracy to conquer the franchises of Kansas, and trample its independence under foot, because its whole weight was directed on the election, as the missile is thrown at a mark. It had no other object, because it sought no other object. It comprehended its criminal numbers over a large territory, because such numbers could not have been recruited and mustered in a limited territory. Its appointments were made with a happy sagacity of criminal machinery. Its execution was wide-spread and far reaching, for with hands multiplied as Briareus's, it seized by violence, at the same moment, every ballot-box but one, of the whole Territory. It was a conspiracy, not only to subordinate the law to violence, but to disfranchise a whole people from the protection of the laws. It was not merely a political disorder, but a great political crime. Its whole muster-roll was made up in the South.

Nor is it necessary to characterize the quality of such conquerors, when conduct and character have such steady consistency with each other. Society, in its own modes of purification, is all the time sloughing away its purulent and sickly members, who, after being trained in the schools that lie on the road to the penitentiary and the gallows, for a short season cheat their manifest destiny, and unite in criminal enterprises like this, in morals as ragged and tattered as the memorable regiment that dogged at Falstaff's back through Coventry. The whisky barrel, that new munition of modern arms, that obtrudes itself as the center figure throughout this whole epic, and at whose dear sides these swaggering heroes strode, is the tell-tale of the moral dignity of these conquerors of Kansas. And this conspiracy, concerted, clandestine, comprehensive, gigantic in dimensions and organized with the exactness, and conducted in the fashion and with the accompaniments, of military enterprise, was meant to undo your own work, to destroy the popular sovereignty lately ordained for Kansas under such specious and ostentatious words as implied that you conferred novel and extraordinary powers on the people of that Territory. The invasion was a treasonable act, but no executive step has been taken to punish the offenders.

The last Congress, with the arrogance that belongs to mediocrity when suddenly raised to authority, exalted itself above the steady and consistently wise government of the Territories, that had prevailed for three-score years and ten, and of which the Missouri compromise was a part, and repealed that measure. By similar legislation under Washington, Jefferson, Madison, and Jackson, Ohio, Indiana, Illinois, Michigan, and Wisconsin, had come out of the wilderness and entered the family of States, at once full of happiness and riches, and ripe in freedom and knowledge. The Missouri restriction of 1820 created a new northwest on the "sunset

side of the Mississippi," and was working out its end. The Kansas and Nebraska bill repealed it. It was done without any one asking for it. It said in argument, "the people of the Territories have been permitted to make their own laws, except on one subject—slavery. The Missouri compromise is a congressional restraint on that power. For the people's sake, and for their larger liberty," it said "it shall be removed." It was done amid universal execration and dismay. "Now," it said, "the people of Kansas can determine the question for themselves." These words were a delusion. The South was caught in no such stupidity. It claimed, as soon as the law was passed, that slavery might lawfully enter the Territories, and before any Territorial Legislature existed in Kansas, Governor Reeder made return in his census report of one hundred and ninety-two slaves there. The President knew of it, and thus first acquiesced in the extraordinary construction, that the people of the Territory have no power over the subject of slavery. And now every Administration member of this body, who has expressed himself on the subject, holds that the people of the Territory have no right to exclude slavery.

When Senator TRUMBULL asked Senator DOUGLAS, some time ago, in the Senate, if he believed in the power of the people of Kansas, under the Kansas bill, to prohibit slavery, he answered, it was a delicate judicial question he should not try to answer. It was a judicial question under the Missouri compromise. Senator DOUGLAS had maintained in the celebrated report accompanying the Kansas bill—if the object was to get a judicial question merely, why not leave the Missouri compromise in force? Or, if the Kansas bill gives no power on that subject, why not say it raises a judicial question, instead of that it gives the people sovereignty over the subject of slavery? And if it does not give the people sovereignty on this question, what popular sovereignty do they enjoy, that they have not had under every territorial law since 1787? And if it does give the power, because slavery is a domestic institution, does it also give to Utah the right of multiplying wives by statutes? But this cry is now at an end. The very authors of this measure, who say the Kansas Legislature is a legal one, have lately passed a bill repealing a portion of their laws, and now show that they have abandoned their dogma. Even the gentleman from Georgia, [Mr. STEPHENS,] in the able argument to which I have already referred, in which he contends for the sovereignty of the people of Kansas, and the regularity of its Legislature, was at that very moment, in fact, denying both, by tendering to this House a bill to repeal part of its laws. The gentleman from Georgia avowed a regard for the sovereignty of Kansas, made manifest in her laws, while holding in hand, at the same moment, a proposition to repeal them, as if he himself believed in the power.

So, the conspiracy against Kansas was only a sequel of that legislation, and both were meant to extend slavery. And therefore it was, at its fatal conception, the North heaved tumultuously, as if an earthquake underlaid it—because it

entered the sanctuary of an old compact and profaned it—because it made slavery possible where it had been outlawed since 1820, and, in the midst of a century of Christianity and knowledge, inaugurating human slavery as the controlling influence in politics, threatened to jostle hostile interests against each other, and sow dragon's teeth, to spring up full-armed passions; over a virgin territory, hardly less in measure than the Roman Empire when it was swayed by the first Caesars.

To make it palatable, the words, pleasant then, but bitter now, "popular sovereignty," were used. But it was necessary further to use ambiguous words, instead of plain ones, to make it bear favorable, though different constructions, at both ends of the Union. Then the Kansas bill spoke with a tongue forked like a serpent's. It paltered to the public in a double sense. It said to the North, "This is your victory, for by your superiority of numbers and energy of colonization you can now make your places of observation, and build your fortresses of freedom around the whole South, and wall it in, and keep it in a state of siege till slavery dies." It said to the South, "By the equality of the States, slavery now lives again, and may overstep the boundary of the States and enter the Territories, and fence in the North, and stop its thrift." The very opposite hopes it encouraged, created sections, and kindled the passions that have stained Kansas with blood.

That is the eminent merit of the Cincinnati platform, now. It reads two ways—to the South, that slavery may enter all the public Territories unopposed; to the North, that the people in the Territory may exclude it, but dares not say either of these things in a straightforward way, and is silent on the subject the people are most concerned to know.

In the midst of blunders of history, constitutional criticism, and much wounded vanity ill-concealed, the President, in his late messages, embraces one truth—that the land is agitated with this subject. He had said the peace with which his reign began should endure—to gain it credit, he said it three times, in accepting the nomination in 1852, in his inaugural message, and in his first message, and then acted so as to show that none of his promises, thrice told, were worth anything. Sir, the President and the authors of the Nebraska bill are the agitators. I know no other agitators. The cart-tail speech of Mr. Atchison in Missouri, showing the coercion by which he obtained the passage of that measure for the sake of slavery, is full of verity. The President hesitated at first. He stood shivering and fainting at the brink, and did not plunge in, but allowed himself to be drawn in—to be shoved in. Others were pushed in, and then others, too poor to have opinions of their own, or calculating the value of the Nebraska bill in its advantage to themselves, followed obsequiously after.

The invasions of Kansas were only overt and violent acts of the conspiracy, but were not the beginning. It began in the attempt to repeal the Missouri compromise. It began here. Like the conspiracy of Catiline, it was hatched in sight of the Capitol.

The President, on the passage of the bill, was already pledged to the work. Slavery had then an ally with extraordinary powers of mischief. He appointed the Governor, who was only the President's machine, and held his office by the tenure of complete obedience. The judges were appointed, and amenable in the same manner. They were even worse, for, unlike the Governor, they had determined not to give up their consciences. The marshal of the Territory was the President's marshal. You called this popular sovereignty. Here the President held in his hand two of the most important branches of the territorial government. There was but one more, the Legislature, to master.

Mr. Atchison, by accident of position the Vice President, relinquished his place in the Senate Chamber, and hastened back to Missouri to provide for getting control of the Legislature. The Blue Lodge grew up under his ingenious and cunning handiwork. It was a secret society, ramified, according to the proof before the investigating committee, through all the southern States, oath-bound, and devoted to the spread of slavery, and especially into Kansas. It pledged its members to go there, when commanded, for the purpose of voting at elections, and levied contributions to provide means for subverting, by organized force, the Federal laws, and destroying all civil rights in Kansas. So this force was gathered together, combined under pledges of mutual support, secretly inducted and initiated, that the criminal purpose might be hid, to impose, by violent and criminal means, a government and institutions to which they were averse, on the people of a neighboring Territory. The one thousand seven hundred and twenty-nine that marched out of Missouri into Kansas in November, 1854, and the four thousand nine hundred and eight that, in array, and with the accompaniments of active war, again entered Kansas in March, 1855, and on these two occasions gave so many illegal votes, and excluded the citizens of Kansas from the privilege of election, which was the only power of government given them by the organic act—all this organized militia of slavery is within the criminal punishment of the laws he has sworn to maintain, and yet the President has been silent.

The spirit of this aggression need not be told. Warned before the second election of the coming invasion, of which he in turn apprised the President, and with a manly purpose of protecting his people, Governor Reeder had a thought of interposing force against this outrage. But the Squatter Sovereign in turn warned him of the danger of maintaining the faithful execution of the laws:

"A military force to protect the ballot-box! Let President Pierce, or Governor Reeder, or any other power, attempt such a course in this, or any other portion of the Union, and that day will never be forgotten."

On the night before the invasion, and while the enemies of Kansas were accumulated in Missouri, on its frontier, ready to advance on its ballot-boxes, General Stringfellow, whose word was oracular, met them, and gave them, in this language, his counsel and benediction:



"To those who have qualms of conscience as to violating laws, State or National, the time has come when such impositions must be disregarded, as your rights and property are in danger; and I advise you, one and all, to enter every election district in Kansas, in defiance of Reeder and his vile myrmidons, and vote at the point of the bowie-knife and revolver. Neither give nor take quarter, as our case demands it. It is enough that the slaveholding interest wills it, from which there is no appeal. What right has Governor Reeder to rule Missourians in Kansas? His proclamation and prescribed oath must be repudiated. It is your interest to do so. Mind that slavery is established where it is not prohibited."

I avoid alluding to the details of that day of guilt, read with shame and indignation over the whole land, and to endure in sight of the whole earth as an ineradicable blot on the national honor. The invaders went back to Missouri on the next day, and there published in the *Squatter Sovereign*, a newspaper patronized by the Administration, their bulletin of victory, dated Independence, Missouri, March 31, 1855. It says:

"Several hundred emigrants from Kansas have just entered our city. They were preceded by the Westport and Independence brass bands. They came in at the west side of the public square, and proceeded entirely around it, the bands cheering us with fine music, and the emigrants with good news. Immediately following the bands were about two hundred horsemen in regular order; following these were one hundred and fifty wagons, carriages, &c. They gave repeated cheers for Kansas and Missouri. They report that not an anti-slavery man will be in the Legislature of Kansas. We have made a clean sweep."

Westport and Independence are in ecstasy! We of Missouri have made a clean sweep of the Legislature of Kansas! Is this the entertainment to which the people of the Territories were invited?

Lecompte encouraged. Jones, then the President's postmaster at Weston, now sheriff of Douglas county, was holding a pistol at the breast of an officer of the law of the United States, compelling him to relinquish his office in five minutes or die. The President has dishonored the proud soldiery of the Republic, by compelling them, as a posse, into obedience to such a ruffian. Atchison was tempted away from Missouri to witness this violation of the law he assisted to make, and announces the result in his cart-tail speech, with the swagger of a Gascon, and the vulgar ferocity of a pirate. He had advised the first inroad in November, 1854:

"I saw it with my own eyes. These men came with the avowed purpose of driving or expelling you from the Territory. What did I advise you to do? Why, meet them at their own game. When the first election came off, I told you to go over and vote. You did so, and beat them. We, our party in Kansas, nominated General Whitfield.

"Well, what next? Why, an election for members of the Legislature, to organize the Territory, must be held. What did I advise you to do then? Why, meet them on their own ground, and beat them at their own game again; and, cold and inclement as the weather was, I went over with a company of men.

"My object in going was not to vote, but to settle a difficulty between two of our candidates; and Abolitionists of the North said, and published it abroad, that Atchison was there with bowie-knife and revolver, and by God 'twas true. I never did go into that Territory—I never intend to go into that Territory—without being prepared for all such kind of cattle. Well, we beat them; and Governor Reeder gave certificates to a majority of all the members of both Houses; and then, after they were organized, as everybody will admit, they were the only competent persons to say who were and who were not members of the same."

In a circular to the South, last autumn, Mr. Atchison adds that Missouri alone had spent \$100,000 in carrying on the strife. And yet while the judge of his own creation, and whose official existence depended on him, the postmaster of another State, and the late Vice President, were trampling on the laws, and with arms in their hands were treasonably defying the national authority in Kansas, the President's authority and influence slept soundly as a dog in a kennel. The Executive, who threw wide open the doors of the Treasury, and sent the armed force of the sea and land to take back a fugitive from slavery—exhausted himself in that spasmodic energy, and had no power to exert to save a whole land of freemen. Was the President in darkness? This terrible knowledge filled the whole land. But, perhaps, he was not officially informed. The executive minutes of Kansas were regularly and officially laid before him, setting forth the full enormity of this public crime. It was, also, repeatedly communicated to him in official letters. He was resting on that bed of glory he had spread for himself at Greytown. Governor Reeder pressed on his consideration the irregularities and disorders of Kansas, and implored his help, and he was slightly moved—but it was only in his Cabinet. He heartily approved his conduct, but required his resignation of office, because "General Atchison pressed it in the most excited manner, and would listen to no reasoning at all." He then proposed giving him a better office, then tempted his integrity by hinting at an improvement of his private affairs, then turned him out of office, and volunteered as his calumniator. The President is not safe from opinion, but he is now safe from public justice. In the Cincinnati convention he had helped to compose, only three and a half were finally found who had not made up an opinion against him—not enough to make a jury.

These significant illustrations of popular sovereignty and the equality of the States, together with the unparalleled series of disorders that followed, not tolerated merely, but promoted and aided by the agents of the Executive, are now referred to to freshen recollection of the infirm and cowardly conduct lately mapped out at Cincinnati for future policy, but principally to show that, in its accepted and proper sense of collecting and expressing the honest will of the people of the Territory, no election has been held in Kansas. The organic act limited the elective franchise to "inhabitants who were actual residents." An election implies a reflection of the popular will, like a form exactly reflected from a mirror. No such act of sovereignty has been exercised, because it has been prevented by armed conquests, and all pretended elections and legislative action are simply nullities. This replies at once to the imputation of treason and revolutionary conduct, modestly hinted in what Mr. Benton calls the *ipeac* platform, and now affirmed by the gentleman from Georgia, [Mr. STEPHENS,] because treason and revolution can only occur where there are existing laws to be opposed. The conspirators against the liberties of Kansas only are revolutionary; while those who seek to maintain



the narrow privileges conveyed by the organic act are alone faithful to the supremacy of the law.

The gentleman from Georgia glides by the crime by saying that certificates of election were given by Governor Reeder. Grant it. But his act in giving certificates was clerical, and not judicial, and could give no legal quality to an act that had none without it. It gave the persons who held them no greater strength of right. This is maintained by President Pierce in his message of January 24th last, in speaking of the election of Whitfield as a Delegate in November, 1854, who also had a certificate of election from Reeder:

"Any question," the President says, "appertaining to the qualification of the persons voting as people of the Territory, would have passed, necessarily and at once, under the supervision of Congress, as the judge of the validity of the returns of the Delegate."

Entering on the duties of legislators gave no strength to the title of the Legislature. It could only have root, and derive validity, from an election held in strict compliance with the organic act. What follows the popular act of election at the ballot-box, the return, the Governor's certificate, &c., is only an official form, authenticating the act of election, but not enlarging it, or altering its quality. The true question, in inquiring into the verity of an election, is, is its result a fair exponent of the will of the people entitled to use the franchise? If it is not, the election is a nullity. A legitimacy of title in that manner, and from the people of the Territory, it never had.

But Atchison argued at the cart-tail, that Reeder having given the certificates, after the persons chosen by the invaders were organized into a mock Legislature, "everybody would admit they were the only competent persons to say who were, and who were not, members." If, as he says, it was competent for the Legislature to decide it, it was not competent for Reeder. But the proposition of General Atchison is not generally admitted, but denied. The Legislature could decide nothing without first having a legal title to sit, which is the point in dispute.

But no cobwebs of forms shall surround and sanctify this outrage. Whatever might be the condition of a State in such a case of contested sovereignty, there is none here. Congress is the paramount sovereign of the public Territories; and may not only utterly vacate this irregular government, but destroy—it fit were absurd enough to do so—all functions of government whatever throughout all the Territories. If it was competent for Congress to prescribe elections, it is competent to set them aside. To declare, what is the fact, the invalidity of the territorial legislation of Kansas, and reassert and reclaim its delegated sovereignty, will at once put a period to the outrage and crime now maintained, for slavery's sake, at the very heart of our Empire.

All of that legislation should perish. Not the least memorial should remain to remind its people hereafter of a foreign servitude.

In pursuing this argument, the gentleman from Georgia ingeniously compared the waste of human life in Kansas with that sometimes produced by popular violence in mobs and riots, and made a satisfactory set-off. But he will here observe

the difference. Without apology, as all acts of popular violence are, these *émeutes* do not compromise the honor of the State, because it has no present force equal to subdue the violence. But in Kansas, disorders have occurred on system, beginning in November, 1854, furnishing paragraphs for almost every newspaper since, comprising the armed police on the Missouri river, armed invasions, the ballot-box defiled, speech silenced, the press destroyed, imprisoning, trying, plundering, robbing, expelling, burning, murdering—and throughout all, the Executive and his officials have silently or actively lent themselves to the work. In the one case, the violence is too sudden and violent for the law to prevent it. Here, where, by a refinement of malice, the outrage is slowly distilled and measured, the law is powerful, but the Executive is weak. Here these disorders have continued, because the President has not wished, because the President had already determined not, to prevent them. Here he acquires his eminence of infamy.

If this be popular sovereignty, according to the principles of the Nebraska-Kansas bill—if, in this mode only, the people of the public domain are to regulate their domestic institutions in their own way, for the national honor we cherish and of human nature itself, outraged in this unexampled calendar of wrong, let it be ended. If this be not popular sovereignty now, when will its fruition come?

The firm purpose is set. It has been revolved in the public mind, and is fixed in the public heart, that the large territory sealed to freedom by the act for the admission of Missouri in 1820, shall remain so forever. This is the nomination of our fathers' bond, and the Nebraska act was an unfilial judgment on their memories. But recovered or not, the resolution is not less inflexible. This is not aggression, for it pauses at a limitation the South enforced and the North has acquiesced in, for more than a third of a century. It is only an act of resistance to aggression on the covenanted rights of the North.

A party does not have its nationality in the diffusion of its members, but in its faith. Mr. Madison, the father of the Constitution, obtained the exclusion of the word *slave* from that instrument on the ground that when slavery had perished out of its existing limits, we should not wish to remember that it had ever existed. The whole convention agreed to it. Contemporaneous and subsequent history attest that the speedy extinction of slavery was then supposed. Getting back to that point of departure, we are at the spot of true nationality. The "proper Democracy," described by Jackson, as distinguished from the spurious Democracy that attempted to ingraft on our old and honored creed the slavery propaganda of Calhoun, maintained it. For the honor of the Democratic party of Indiana, that boasted such a chief as Howard, and that perished in debauch and profligacy at the repeal of the Missouri compromise, leaving only a name to be worn by those who had abandoned its principles, it deserves to be remembered, and my colleague, [Mr. ENGLISH,] and the president of the Senate, [Mr. BRIGHT,] are the witnesses, that it main-

tained till 1848—and then, after a short interregnum of doubt, until 1852—the doctrine of slavery restriction and freedom to all the Territories. That was national then, and, helped by others, when they abandon us, we now carry on the cause.

It is the spirit and quality of public liberty to be aggressive on everything that is wrong. It yields no wrong conditions, asks no auxiliaries, but only a fair and open field. "Let truth and falsehood grapple," said Milton, full of faith, when defending the liberty of the press. "Who ever knew truth put to the worse in free and open encounter? For who knows not that truth is strong, next to the Almighty?" But yet, though opposing what the gentleman from Georgia [Mr. STEPHENS] has denominated "the principle of a division of the territory," which he makes a reason for the repeal of the Missouri compromise; to silence this cavil, let us compare the territorial gain to the two sections since the adoption of the Constitution. The Northwest Territory is excluded, because its political condition was fixed under the Confederation. So, too, for the same reason, Kentucky, Tennessee, and the north part of Alabama and Mississippi, are excluded. The North has then gained:

Iowa.....	50,914 square miles.
California.....	155,980 " "
Total.....	206,894 " "

Louisiana, acquired from France, extended on the east to the Perdido river, the west boundary of Florida. The South has, then, gained and organized into States:

South part of Alabama and Mississippi....	43,939 sq. miles.
Louisiana.....	41,525 " "
Arkansas.....	52,193 " "
Missouri.....	67,380 " "
Texas.....	318,000 " "
Florida.....	59,268 " "
Total.....	579,040 " "

The South has acquired twelve Senators while the free States have acquired only four. The South has acquired twenty-three members in the House of Representatives on the basis of slaves, for which the North has no equivalent, except in good conscience. With less than one half of the white population of the North, the South has acquired and enjoys twice as much territory, and been permitted to muster the controlling influence of legislation in both branches of Congress. But this disparity becomes enormous, if the Cincinnati dogma, that the Constitution, by its own vigor, transports slavery into the common domain, is to be maintained; for then, subject to the struggle for the mastery, one million four hundred and seventy-two thousand and sixty-one square miles are to be added to the territorial gains of the South, a realm as large as European Russia, set apart, under free and equal laws, to the perpetuation of human bondage.

Three fourths of the national revenue, derived from customs, is paid by the North. More than a moiety of it has been, immemorially, expended in the South. Staples of southern production are protected, so as to add millions yearly

to the riches of her planters. The North pays \$4,391,860 80 postage; \$2,381,607 16 is expended in it. The South pays \$1,486,984 06 postage. The service consumes not this only, but also \$600,266 05 more derived from the North. This is not said in complaint, but to evince how groundless is the clamor of the injustice of the North.

But the gentleman from South Carolina [Mr. ORR] admits, in a letter to the Hon. W. C. Dudley, the kindness of the North, but says it is wholly due to northern Democrats:

"The northern Democrats aided us to bring into the Union Texas, a magnificent slaveholding Territory—large enough to make four slave States—and strengthened us more in that peculiar interest than was ever before done by any single act of the Federal Government. Since then, they have amended a very imperfect fugitive slave law, passed in 1793, and have given us now a law for the recovery of fugitive slaves, as stringent as the ingenuity of man could devise. Since, they have aided us by their votes in establishing the doctrine of non-intervention with slavery, by Congress, in the Territories. Since then they have actually repealed the Missouri restriction, opened the Territories to settlement, and enabled us, if the South will be true to herself, and aid in peopling Kansas, to form another slave State. In 1843 a man would have been pronounced insane, had he predicted that slavery would be introduced there by the removal of congressional restrictions."

To this lame and impotent conclusion to the degradation of being only a hireling for the propagation of slavery on the national domain, they tell us that the Democracy of Jefferson and Jackson have gone down! In all its forms slavery is an evil. Theologians may maintain its divine right and pedigree, and deduce, as they do, white and black slavery together, out of its oracles, but it remains true that it requires in the slave a perpetual crucifixion of the duties of Christian life. But, in the sense of political economy, and in its social life, so far as connected with that economy, which is the politician's scope, except in money, it is an unmixed evil—to the slave, the middle class, the master—paralyzing every relation and interest, in which good economy (by which is meant the greatest happiness of those governed in a State) consists. Its only profit is as a mercenary institution, and there it is limited to a few.

History abounds in parallels, and is forever reproducing itself. It is nowhere more instructive than when, in its numerous examples, it paints the weakness and decline that slavery introduces into a State, before its final catastrophe—the strong contrasts it makes on the canvass, of the riches, dissipation, power, and authority, of the few, and the vice, degradation, and sufferings, of the masses.

Mr. Bancroft, eminent more as the illustrator of our history than as the head of our diplomacy, says:

"In the early periods of Rome, Cincinnatus, at work in his field, was the model of patriotism. Agriculture and war were the labor and office of freemen. Little farms studded the country, and nursed an independent race. But, in the time of the Gracchi, the plow was in the hands of the slave. The greater number of freemen were excluded from employment by the increase of slavery, and its tendency to confer the exclusive possession of the soil on the few. The palaces of the wealthy towered in the landscape in solitary grandeur—the plebeians hid themselves in miserable hovels. Deprived of all the dignity of freeholders, they could not even hope for occupation, for the opulent landowner preferred rather to make use of his slaves. Tiberius Gracchus saw the inhabitants of the Roman State



divided into the few wealthy nobles, the many indigent citizens, the still more numerous class of slaves. Reasoning correctly, he perceived that it was slavery which crowded the poor man out of employment, and barred the way to his advancement. In the midst of a land corrupted and impoverished by slavery, it was the purpose of Gracchus, by the agrarian law, to create a Roman yeomanry by increasing the number of landed proprietors. It was designed to create in Italy a yeomanry, instead of slaves, to substitute free laborers, to plant liberty, to perpetuate the Roman Commonwealth, by identifying its principles with the culture of the soil. Gracchus claimed it for the free.

"Philanthropy, when it contemplates a slave holding country, may have its first sympathies excited for the slaves—but it is a narrow benevolence which stops there. The needy freeman is in a worse condition. The slave has his task, and also his home and his bread. He is the member of a wealthy family. The indigent freeman has neither labor, nor house, nor food; and, divided by a broad gulf from the upper class, he has neither hope nor ambition. He is so abject, that even the slave despises him. For the interest of the slaveholder is diametrically opposite to that of the free laborer. The slaveholder is the competitor of the free laborer, and, by the lease of slaves, takes the bread from his mouth. The wealthiest man in Rome was the competitor of the poorest carpenter. The patricians took away the business of the sandal-makers. The existence of slavery made the opulent owners of bondmen the rivals of the poor; greedy after the profits of their labor, and monopolizing those profits through their slaves. In every community where slavery is tolerated, the poor freeman will always be found complaining of hard times.

"Slavery tends to diminish the frequency of marriages in the class of masters. In a State where emancipation is forbidden, the slave population will perpetually gain in relative numbers." \* \* \* \* "The position is certain and universal; nowhere was it more amply exemplified than in Rome."

But slavery had then, as now, its pimps, and parasites, and hirelings. Even the poor whites themselves became silent cowards, as they do now, before their rich and powerful oppressors; and the Aclisons and Shannons of Roman slavery were permitted to slay the pure and incomparable tribune of the people, Gracchus, the free-soiler, as he went up the steps of the capitol; and his corpse, like the carcass of a dog, was dragged through the streets and tossed contemptuously into the yellow Tiber.

But vengeance followed the spoliators of the poor whites in Italy. Shut out from labor and from owning lands, it was necessary to feed them from the public granaries. These were to be filled by the labor of slaves. Bancroft says:

"It was a greater burden than the fruits of slavery could bear. The deficiency was supplied by the plunder of foreign countries. The Romans, as a nation, became a band of robbers."

Is this the destiny of our own, the last and best of all republics? to linger in weakness from day to day with this political canker at its vitals, and to perish finally in crime?

The parallel desolation has begun here, and, if uncured, will have the same catastrophe.

Said Senator Preston, of South Carolina, in 1836:

"No southern man can journey, as I have done, through the northern States, and witness the prosperity, the industry, the public spirit, which they exhibit; the sedulous cultivation of those arts by which life is made comfortable and respectable, without feelings of deep sadness and shame, as he remembers his own neglected and desolate home. There no dwelling is to be seen abandoned, no farm uncultivated, no man idle, no waterfall even unemployed. Every person and everything performs a part toward the grand result, and the whole land is covered with fertile fields, with manufactories, and canals, and railroads, and public edifices, and towns and cities." \* \* \* "The population

becomes, as it were, a single set of muscles, animated by one heart, and directed by a common sensorium.

"How different the condition of things in the South! Here the face of the country wears the aspect of premature old age and decay. No improvement is seen going on, nothing is done for posterity, no man thinks of anything beyond the present moment. Our lands are yearly tasked to their utmost capacity of production, and when exhausted, are abandoned for the youthful West."

Slavery has no invention or skill. "Idleness, treachery and theft," Mr. Bancroft says, "are its vices." In that wonderful store-house of American invention, the Patent Office, the following are the figures of practical invention:

North, from 1790 to 1849, inclusive,	14,559	patents.
South, from 1790 to 1847,	2,475	"
North, for 1855.....	1,684	"
South, for 1855.....	232	"

A free and slave population are, relatively, conservative and progressive. In the one there is industry, invention, skill, general comfort, progress. In the other, speaking of it as a whole, these are wanting, and everything stands still. They resemble the different conditions in physics, of inertia and momentum.

But the worst fact of slavery, in its political relation, is the weakness it gives a State, as against a foreign enemy. The condition of the slave is not the paradise it seems to be to some benevolent minds. It may be unreasonable in him not to be contented with his lot, after a long endurance of ignorance, degradation and suffering, and when his manly and moral sensibilities ought to be blunted. But reasonable or not, the slave is not contented with his condition; and it is because he is not, and often turns his eyes in the night-watches to the north star, that fugitive slave laws are necessary to compel him into a bondage he seeks every opportunity to fly from. The slave is in our social and political system, but forms no part of it. A native of the soil and among his kind, he is without family, or home, or country. His heart, however it may be subdued by law from expressing itself in overt acts, is at war with the surrounding circumstances by which he is oppressed; and he only bides his time and waits his opportunity to rise in the ferocity of his untamed nature, and confront his oppressor. As against a foreign enemy, he is our enemy in the midst of the garrison; and just as much as we extend slavery, we strengthen an internal foe against our peace, happiness, and safety. It is painful to indicate this point of greatest national danger and weakness; but, forewarned, if we are wise, we may be forearmed.

An example of the fugitive and dangerous nature of this property, before slavery had become augmented to its present alarming numbers, occurred during our last war with Great Britain, and is preserved in much angry diplomacy that followed the treaty of Ghent. One of the articles of that treaty stipulated, on the part of the British Government, compensation for all property taken by the enemy, and remaining in its hands at the exchange of ratifications. Under this clause compensation was claimed for fugitive slaves at that moment remaining with the armed forces of the enemy, not for all who had become scattered and fugitive during the progress of the war, but such only as adhered to the armed enemy at the mo-



ment of the exchange of ratifications. An award of the Emperor of Russia, to whom the construction of so much of the treaty was referred, required payment for this class of fugitives from the British Government, which, November 13, 1826, settled the amount by convention at \$1,204,960. Proofs had already been made, and were on the files of our State Department, of the presence of the following fugitives with the enemy at the time of exchanging the ratifications of the treaty:

States.	Slaves	Average.	Amount.
Maryland.....	714	280	\$199,920
Virginia.....	1,721	280	481,680
South Carolina.....	10	390	3,900
Georgia.....	833	390	324,870
Louisiana.....	259	580	150,220
Mississippi.....	22	280	6,160
Delaware.....	2	280	560
Alabama.....	18	390	7,020
Alexandria.....	3	280	840
	<u>3,582</u>		<u>1,175,370</u>

Almost an army of brawny men, recruited from our own midst, at a season of languishing maritime warfare, inflamed by a sense of life-long injuries, invoked to a ferocious revenge, and, rather than again be subdued to slavery, prepared to make the terrible resistance of despair..

The persevering reproach brought against our republican honor, of maintaining slavery in our midst, at this age of knowledge and humanity, found a generous consideration and even protection against our accusers, so long as we replied the difficulty of dealing with it now, as a practical evil, and the compulsion against our remonstrances by which it was first introduced here; because such an answer implied that we only wished and waited for a safe means of extrication. But we now revive the reproach, and take to ourselves, nationally, the ignominy of maintaining slavery, when we take sides with its propagation, and insist on it as a social and political blessing; for, if it be a blessing, there is no longer any reproach in having brought it here; and, having stripped ourselves of this cover, we stand in nakedness to be chastised by the scorn and condemnation of all mankind.

This brings me to the language of eminent force and truth of the gentleman from Georgia, [Mr. WARNER:]

"There is not a slaveholder, in this House or out of it, but who knows perfectly well that *whenever slavery is confined within certain special limits, its future existence is doomed*; it is only a question of time as to its final destruction. SLAVERY CANNOT BE CONFINED WITHIN CERTAIN SPECIFIED LIMITS WITHOUT PRODUCING THE DESTRUCTION OF BOTH MASTER AND SLAVE."

And if slavery, in its struggle for life, is to expand all over the Territories, and fill the master's tills, what then? I have shown that, proceeding

in its present augmented ratio, colonization will fill the whole domain before the end of the present generation. And after slavery, along with it, shall have spread over all our Territories, what then? Is not the present a mere palliative, and a postponement of the evil time? Slavery will then be crowded, and fall back on itself. What shall then be its cure? Shall we then extend the historical parallel, and enter on a life of robbery? or shall another Spartacus arise and lead away the hosts of slaves from our midst? or another Eunus erect his cruel tribunal, and bring the masters to indiscriminate judgment for the whole past? or shall we endure in our own midst, at desolated hearths, and in the presence of our fields spoiled by war and rapine, another St. Domingo?

Warned by all this, no other Shannon shall swarm his barbarians on the Wakarusa, to insult, alarm, plunder, rob, and murder the people of his charge, for the fault of loving liberty and the laws too well, nor another Pierce joyfully convey to Congress, after having compelled the ignominious submission, that the affairs of the Territory are arranged "in the most satisfactory manner."

National honor, peace, happiness, and union, will be safe by going back and taking lessons of the past. This cause is the people's. It, too, has its representative champion. Educated into a personal knowledge of servitude and its instincts, his vows, young as Hannibal's, were recorded against it. Fremont has honored his country; he has served science, which serves all mankind; he has explored a wilderness, and made its features familiar as a friend's; he has ascended rivers to their springs, and climbed to mountain tops that looked down on the Pacific, resting in its immense basin quietly as a child in arms; he has enlarged knowledge. In all this, he has maintained the modesty of true merit; and in a time-serving age, he is as much remarkable for what he has not been, as for what he has been and is. But his best title to remembrance is, that he conquered and laid the foundations of a free State at that uttermost limit of our empire. We trust the qualities he has displayed, and his honorable fame for his inflexible devotion to the right; for this "good old cause" repels the maxims of private outrage for party, or of national robbery for national gain, but adheres to truth older than Christianity, and as pure—that told by Solon to the wise men at the feast of the tyrant of Corinth, that that is the best republic where an injury to the humblest citizen is an injury to the whole State; and that other, uttered by Socrates in the saddler's shop at Athens, that nothing whatever can be sound in politics that is not sound in the morals of private life.











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